

Jul 14, 2022

ANGELA E. NOBLE
CLERK U.S. DIST. CT.
S.D. OF FLA. - MIAMI

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA
22-20313-CR-SCOLA/GOODMAN
CASE NO. _____**

18 U.S.C. § 844(e)
18 U.S.C. § 844(i)
26 U.S.C. § 5681(d)
18 U.S.C. § 2119(1)
18 U.S.C. § 2312
18 U.S.C. § 844(h)(2)
18 U.S.C. § 981(a)(1)(C)
18 U.S.C. § 982(a)(2)(B)
18 U.S.C. § 844(c)
18 U.S.C. § 982(a)(5)
18 U.S.C. § 924(d)(1)
26 U.S.C. § 5872
49 U.S.C. § 80303

UNITED STATES OF AMERICA

vs.

JAY THOMAS STUBBS,

Defendant.

INDICTMENT

The Grand Jury charges that:

Count 1

Making Threats by Telephone

(18 U.S.C. § 844(e))

**MB
2022**

On or about May 8, ~~2021~~, in Miami-Dade County, in the Southern District of Florida, the
defendant,

JAY THOMAS STUBBS,

through the use of a telephone and other instrument of interstate and foreign commerce, knowingly
and willfully made a threat to unlawfully damage and destroy a building, vehicle, and other real
and personal property located at 3205 West 16th Avenue Unit C53, Hialeah, Florida 33012, by

means of fire and an explosive, in and affecting interstate and foreign commerce, in violation of Title 18, United States Code, Section 844(e).

Count 2
Arson
(18 U.S.C. § 844(i))

On or about May 9, 2022, in Miami-Dade County, in the Southern District of Florida, the defendant,

JAY THOMAS STUBBS,

did maliciously damage and destroy, and attempt to damage and destroy, and cause to be damaged and destroyed by means of fire and an explosive, a building, vehicle, and other real and personal property located at 3205 West 16th Avenue Unit C53, Hialeah, Florida 33012, which building and other real and personal property were used in interstate and foreign commerce and in activities affecting interstate and foreign commerce, in violation of Title 18, United States Code, Section 844(i).

Count 3
Arson
(18 U.S.C. § 844(i))

On or about May 22, 2022, in Miami-Dade County, in the Southern District of Florida, the defendant,

JAY THOMAS STUBBS,

did maliciously damage and destroy, and attempt to damage and destroy, and cause to be damaged and destroyed by means of fire, a vehicle, that is, a 2012 Dodge Grand Caravan, which was used in interstate and foreign commerce and in activities affecting interstate and foreign commerce, in violation of Title 18, United States Code, Section 844(i).

Count 4
Possession of an Unregistered Firearm
(26 U.S.C. § 5861(d))

On or about May 22, 2022, in Miami-Dade County, in the Southern District of Florida, and elsewhere, the defendant,

JAY THOMAS STUBBS,

did knowingly possess a firearm, as defined in Title 26, United States Code, Sections 5845(a)(8) and (f), that is, a destructive device, commonly referred to as a “Molotov cocktail,” which firearm was not registered to the defendant in the National Firearms Registration and Transfer Record, as required by Title 26, United States Code, Section 5841, in violation of Title 26, United States Code, Sections 5841, 5861(d), and 5871.

Count 5
Carjacking
(18 U.S.C. § 2119(1))

On or about May 22, 2022, in Miami-Dade County, in the Southern District of Florida, the defendant,

JAY THOMAS STUBBS,

with the intent to cause death and serious bodily harm, did take a motor vehicle that had been transported, shipped, and received in interstate and foreign commerce, that is, a 2020 Hyundai Tucson, from the person and presence of another, that is, “N.R.M.,” by force and violence, and by intimidation, in violation of Title 18, United States Code, Section 2119(1).

Count 6
Interstate Transportation of a Stolen Vehicle
(18 U.S.C. § 2312)

On or about May 22, 2022, in Miami-Dade County, in the Southern District of Florida, and

elsewhere, the defendant,

JAY THOMAS STUBBS,

did knowingly transport in interstate and foreign commerce a motor vehicle, that is, a 2020 Hyundai Tucson, knowing the vehicle to have been stolen, in violation of Title 18, United States Code, Section 2312.

Count 7
Carrying an Explosive During the Commission of Another Felony
(18 U.S.C. § 844(h)(2))

On or about May 22, 2022, in Miami-Dade County, in the Southern District of Florida, and elsewhere, the defendant,

JAY THOMAS STUBBS,

did knowingly carry an explosive during the commission of a felony offense for which the defendant may be prosecuted in a court of the United States, that is, a violation of Title 18, United States Code, Section 844(i), as alleged in Count 3 of this Indictment, and a violation of Title 18, United States Code, Section 2312, as alleged in Count 6 of this Indictment; all in violation of Title 18, United States Code, Section 844(h)(2).

FORFEITURE ALLEGATIONS

1. The allegations of this Indictment are hereby re-alleged and by this reference fully incorporated herein for the purpose of alleging forfeiture to the United States of America of certain property in which the defendant, **JAY THOMAS STUBBS**, has an interest.

2. Upon conviction of a violation of Title 18, United States Code, Section 844, as alleged in this Indictment, the defendant shall forfeit to the United States: (i) any property, real or personal, which constitutes or is derived from proceeds traceable to such offenses, pursuant to

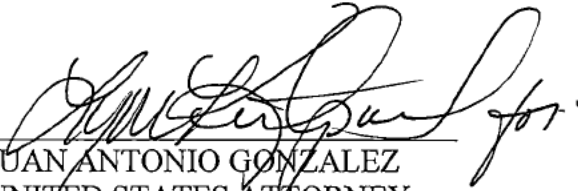
Title 18, United States Code, Sections 981(a)(1)(C) and 982(a)(2)(B); and (ii) any explosive materials involved or used or intended to be used in such offense, pursuant to Title 18, United States Code, Sections 844(c).

3. Upon conviction of a violation of Title 18, United States Code, Sections 2119 and/or 2312, as alleged in this Indictment, the defendant shall forfeit to the United States: (i) any property, real or personal, which constitutes or is derived from proceeds traceable to such offenses, pursuant to Title 18, United States Code, Section 982(a)(5); and (ii) any firearm and ammunition involved in or used in the commission of such offense, pursuant to Title 18, United States Code, Section 924(d)(1).

4. Upon conviction of a violation of Title 26, United States Code, Section 5861, as alleged in this Indictment, the defendant shall forfeit to the United States any firearm involved in or used in the commission of such offense, pursuant to Title 26, United States Code, Section 5872, and any aircraft, vehicle, or vessel involved in or used in the commission of such offense, pursuant to Title 49, United States Code, Section 80303.

[INTENTIONALLY LEFT BLANK]

All pursuant to pursuant to Title 18, United States Code, Sections 844, 981(a)(1)(c), 982(a)(2)(B) and (a)(5); Title 26, United States Code, Section 5872; Title 49, United States Code, Section 80303, and the procedures set forth in Title 21, United States Code, Section 853, as incorporated by Title 28, United States Code, Section 2461(c).



JUAN ANTONIO GONZALEZ
UNITED STATES ATTORNEY



MICHAEL BRENNER
ASSISTANT UNITED STATES ATTORNEY

A TRUE BILL



FOREPERSON

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

UNITED STATES OF AMERICA

CASE NO.:

v.

CERTIFICATE OF TRIAL ATTORNEY*

JAY THOMAS STUBBS,

Defendant.

Court Division (select one)

- ☒ Miami ☐ Key West ☐ FTP
☐ FTL ☐ WPB


Superseding Case Information:

New Defendant(s) (Yes or No)
Number of New Defendants
Total number of New Counts

I do hereby certify that:

1. I have carefully considered the allegations of the indictment, the number of defendants, the number of probable witnesses and the legal complexities of the Indictment/Information attached hereto.
2. I am aware that the information supplied on this statement will be relied upon by the Judges of this Court in setting their calendars and scheduling criminal trials under the mandate of the Speedy Trial Act, Title 28 U.S.C. §3161.
3. Interpreter: (Yes or No) No
List language and/or dialect:
4. This case will take 3 days for the parties to try.
5. Please check appropriate category and type of offense listed below:
(Check only one) (Check only one)
I ☒ 0 to 5 days ☐ Petty
II ☐ 6 to 10 days ☐ Minor
III ☐ 11 to 20 days ☐ Misdemeanor
IV ☐ 21 to 60 days ☒ Felony
V ☐ 61 days and over
6. Has this case been previously filed in this District Court? (Yes or No) No
If yes, Judge Case No.
7. Has a complaint been filed in this matter? (Yes or No) No
If yes, Magistrate Case No.
8. Does this case relate to a previously filed matter in this District Court? (Yes or No) No
If yes, Judge Case No.
9. Defendant(s) in federal custody as of
10. Defendant(s) in state custody as of
11. Rule 20 from the District of
12. Is this a potential death penalty case? (Yes or No) No
13. Does this case originate from a matter pending in the Northern Region of the U.S. Attorney's Office prior to August 8, 2014 (Mag. Judge Shanick Maynard? (Yes or No) No
14. Does this case originate from a matter pending in the Central Region of the U.S. Attorney's Office prior to October 3, 2019 (Mag. Judge Jared Strauss? (Yes or No) No

By:



MICHAEL BRENNER
Assistant United States Attorney
FLA Bar No. 1011238

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

PENALTY SHEET

Defendant's Name: JAY THOMAS STUBBS

Case No: _____

Count 1:

Making Threats by Telephone

Title 18, United States Code, Section 844(e)

* **Max. Term of Imprisonment: 10 years**

* **Max. Supervised Release: 3 years**

* **Max. Fine: \$250,000**

Counts 2 and 3:

Arson

Title 18, United States Code, Section 844(i)

* **Max. Term of Imprisonment: 20 years**

* **Mandatory Min. Term of Imprisonment: 5 years**

* **Max. Supervised Release: 3 years**

* **Max. Fine: \$250,000**

Count 4:

Possession of an Unregistered Firearm

Title 26, United States Code, Section 5861(d)

* **Max. Term of Imprisonment: 10 years**

* **Max. Supervised Release: 3 years**

* **Max. Fine: \$250,000**

Count 5:

Carjacking

Title 18, United States Code, Section 2119(1)

* **Max. Term of Imprisonment: 15 years**

* **Max. Supervised Release: 3 years**

* **Max. Fine: \$250,000**

*Refers only to possible term of incarceration, supervised release and fines. It does not include restitution, special assessments, parole terms, or forfeitures that may be applicable.

PENALTY SHEET

Defendant's Name: JAY THOMAS STUBBS

Case No: _____

Count 6:

Interstate Transportation of a Stolen Vehicle

Title 18, United States Code, Section 2312

*** Max. Term of Imprisonment: 10 years**

*** Max. Supervised Release: 3 years**

*** Max. Fine: \$250,000**

Count 7:

Carrying an Explosive During the Commission of Another Felony

Title 18, United States Code, Section 844(h)(2)

*** Mandatory Term of Imprisonment: 10 years consecutive**

*** Max. Supervised Release: 3 years**

*** Max. Fine: \$250,000**